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MAY 08 2003

MARC SPITZER, Chairman
JIM IRVIN
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

DOCKETED BY

In the matter of:

DOCKET NO. S-03413A-01-0000

NOTIFICATION OF SENTENCING

CLAY EUGENE LAMBERT
3711 East Minton Place
Mesa, Arizona 85215

Respondent.

On June 12, 2002, Clay Eugene Lambert ("Respondent") was indicted in Superior Court ("Court"), Maricopa County. Specific charges included one count of Fraudulent Schemes and Artifices, a class 2 felony, one count of Theft, a class 2 felony, and 3 counts of forgery, a class 4 felony, 3 counts of Insurance Fraud, a class 6 felony.

On March 26, 2003, the Court accepted a plea agreement in which Respondent entered a plea of Guilty to one count of Theft, a class 3 felony, and one count of Forgery, a class 4 felony. All other counts of the indictment were dismissed. (See attached affidavit of Lisa Busse.)

On May 2, 2003, Respondent was sentenced by the Court to a term of 3.25 years imprisonment, committed to the Arizona Department of Corrections. Upon Respondent's release from the Department of Correction, Respondent will serve a term of Probation for 5 years and pay \$238,323.50 in restitution.

Respectfully submitted this 7 day of May, 2003.
Matthew Neubert

Director of Registration and Compliance

Original and thirteen copies
of the foregoing hand-delivered

1 Original and thirteen copies
2 of the foregoing hand-delivered
3 this 8th day of May, 2003 to:

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington Street
7 Phoenix, AZ 85007

8 A copy of the foregoing mailed
9 this 8th day of May, 2003 to:

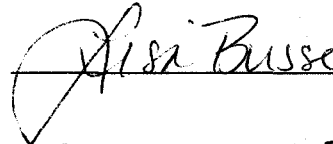
10 CLAY EUGENE LAMBERT
11 3711 East Minton Place
12 Mesa, Arizona 85215
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1 STATE OF ARIZONA)

2 County of Maricopa)

AFFIDAVIT OF LISA BUSSE

3 I, Lisa Busse, for the Securities Division of the Arizona Corporation Commission,
4 hereby certify that on the 7th day of May, 2003, I accessed the internet website of the Superior
5 Court of Arizona, Maricopa County, to obtain copies of minute entries in case CR2002-010391,
6 State of Arizona v. Clay Eugene Lambert. Specifically, a minute entry dated March 26, 2003, Plea
7 Agreement/Change of Plea, and a minute entry dated May 2, 2003, Sentence – Imprisonment and
8 Probation were obtained in order to retrieve information regarding the case status and sentencing.
9

10 
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12 SUBSCRIBED AND SWORN TO BEFORE me this 7th day of

13 May, 2003.



Notary Public State of Arizona
Maricopa County
Jerry E Lowe
Expires September 24, 2005

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16 NOTARY PUBLIC

17 My Commission Expires:
18 _____
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SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-010391

03/26/2003

HONORABLE JEFFREY S. CATES

CLERK OF THE COURT
K. Winchell
Deputy

FILED: 03/28/2003

STATE OF ARIZONA

LIZ BARRICK

v.

CLAY EUGENE LAMBERT

STEVE B KOESTNER

APO-PLEAS-CCC
PRETRIAL SERVICES AGENCY-CCC
VICTIM WITNESS DIV-AG-CCC

PLEA AGREEMENT/CHANGE OF PLEA

State's Attorney:	Above-named counsel
Defendant's Attorney:	Above-named counsel
Defendant:	Present
Court Reporter:	Mike Babicky

The Court reviews the Plea Agreement with Defendant. The Court advises Defendant of the range of possible sentence and the availability of probation, and any special conditions of sentencing and probation. The Court advises Defendant of all pertinent constitutional rights and rights of review.

Defendant enters a plea of Guilty to the following:

OFFENSE: Count 2 as Amended: Theft
Class 3 Felony
A.R.S. § 13-1802, 1801, 701, 702, 702.01, 801, and 804
Date of Offense: Between 01/20/1999 and 12/05/1999
Non Dangerous - Non Repetitive

OFFENSE: Count 3: Forgery
Class 4 Felony
A.R.S. § 13-2002, 2001, 701, 702, 702.01, 801, and 804

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-010391

03/26/2003

Date of Offense: On or about 04/06/1999
Non Dangerous - Non Repetitive

IT IS ORDERED accepting the plea.

IT IS ORDERED setting time for sentencing/mitigation hearing on 05/02/2003 at 10:00 a.m. before Judge Cates.

IT IS FURTHER ORDERED that the following will be deemed submitted at the time of sentencing: Motion To Dismiss Counts 1, 4, 5, 6, 7, and 8 of the indictment as reflected in the Plea Agreement.

IT IS ORDERED the Adult Probation Department shall prepare a Presentence Report, and that Defendant shall report to the Adult Probation Department if not in custody.

IT IS ORDERED vacating any pending dates.

IT IS FURTHER ORDERED modifying release conditions to allow the defendant to leave the state of Arizona in order to travel to the state of Colorado for the sole purpose of visiting his family.

IT IS FURTHER ORDERED the defendant shall provide to Pretrial Services Agency the address and telephone number where he will be in Colorado.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-010391

05/02/2003

HONORABLE JEFFREY S. CATES

CLERK OF THE COURT

J. Jones

Deputy

FILED: 05/07/2003

STATE OF ARIZONA

LIZ BARRICK

v.

CLAY EUGENE LAMBERT
DOB: 12/25/1950

STEVE B KOESTNER

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

VICTIM WITNESS DIV-AG-CCC

SENTENCE - IMPRISONMENT AND PROBATION

State's Attorney:	Above named counsel
Defendant's Attorney:	Above named counsel
Defendant:	Present
Court Reporter:	Mike Babicky

Tom Woods addresses the Court.

Sherry Mills addresses the Court.

Janice Marlow addresses the Court.

Renee Lambert addresses the Court.

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: COUNT 2 (AS AMENDED): THEFT
Class 3 felony

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-010391

05/02/2003

A.R.S. § 13-1802, 1801, 701, 702, 702.01, 801, and 804

Date of Offense: Between 01/20/1999 and 12/05/1999

Non Dangerous - Non Repetitive

OFFENSE: COUNT 3: FORGERY

Class 4 felony

A.R.S. § 13-2002, 2001, 701, 702, 702.01, 801, and 804

Date of Offense: On or about 04/06/1999

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 3: 3.25 year(s) from 05/02/2003

Presentence Incarceration Credit: 82 days

Aggravated

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED suspending imposition of sentence and placing Defendant on probation as stated in the Uniform Conditions of Probation.

Count 2 Probation Term: 5 years beginning upon Defendant's total release from the Department of Corrections in Count 3.

Conditions of probation include the following:

Condition 16 - Not drink any alcoholic beverage.

Condition 23 - Restitution, Fines, and Fees:

RESTITUTION: \$238323.50 payable \$500.00 to the following persons:

Direct Utility Contractors, LLC (Business) \$238323.50

Restitution ledger provided; priority of payment as stated in the restitution ledger.

Payment shall be 30% of Defendant's earnings while incarcerated at the Arizona Department of Corrections.

PROBATION SERVICE FEE: \$50.00 per month.

ASSESSMENT in the amount of \$25.00 as follows:

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-010391

05/02/2003

Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

PROBATION SURCHARGE: \$5.00

Payment shall commence on the first day of the second month upon release from supervision of the Department of Corrections, at not less than \$575.00 per month.

All amounts payable through the Clerk of the Superior Court.

Condition 25 - Abide by the Special Conditions as noted on the attachment to the Terms and Conditions of Probation.

IT IS ORDERED granting the Motion To Dismiss the following: Counts 1, 4, 5, 6, 7 and 8.

Count(s) 3: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS ORDERED exonerating any bond previously posted in this matter.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-010391

05/02/2003

Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JEFFREY S. CATES
JUDGE OF THE SUPERIOR COURT

(thumbprint)